



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/036,022

12/26/2001

Michael Roberts

00216-368004

2417

26161 7590 09/30/2009

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

SPISICH, MARK

ART UNIT

PAPER NUMBER

3727

NOTIFICATION DATE

DELIVERY MODE

09/30/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10036022	12/26/2001	ROBERTS ET AL.	00216-368004

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

Mark Spisich

ART UNIT	PAPER
3727	20090925

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Receipt is acknowledged of a Supplemental Brief filed 27 August 2009. This was filed in response to a non-compliant notice mailed on 28 July 2009. The only objection was that the "status of claims" did not indicate claim 55 as being canceled. No changes to the Examiner's Answer mailed 23 March 2009 will be made in response to the Supplemental Brief. Therefore, the case is being forwarded to the Board of Appeals for a decision on the appeal.

/Mark Spisich/
Primary Examiner, Art Unit 3727